

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DECHERI HAFER,

Plaintiff,

v.

UNKNOWN,

Defendant.

Case No.: 1:20-cv-01426-NONE-JLT

**ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED FOR FAILURE
TO SUBMIT APPLICATION TO PROCEED *IN*
FORMA PAUPERIS OR PAY FILING FEE**

On October 13, 2020, the Court issued an order directing the plaintiff to file a motion to proceed *in forma pauperis* or pay the filing fee within 21 days of service of that order. (Doc. 6.) More than 21 days have passed, and the plaintiff has not filed an IFP application or paid the filing fee.

The Local Rules, corresponding with Federal Rule of Civil Procedure 11, provide, “[f]ailure of counsel or of a party to comply with . . . any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court.” Local Rule 110. “District courts have inherent power to control their dockets” and, in exercising that power, may impose sanctions, including dismissal of an action. *Thompson v. Housing Auth., City of Los Angeles*, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based on a party’s failure to prosecute an action, obey a court order, or comply with local rules. *See, e.g., Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with a court order to amend a complaint); *Malone v. U.S. Postal Service*, 833 F.2d 128, 130-31 (9th Cir. 1987) (dismissal for failure to comply

1 with a court order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to
2 prosecute and to comply with local rules).

3 Accordingly, the Court **ORDERS** the plaintiff to show cause in writing, **no later than**
4 **November 23, 2020**, why this action should not be dismissed. Alternatively, within that same time,
5 Plaintiff may submit an application to proceed *in forma pauperis*, completed and signed, or he may pay
6 the filing fee for this action.

7 **The failure to comply with this order will result in a recommendation that the Court**
8 **dismiss the action.**

9
10 IT IS SO ORDERED.

11 Dated: **November 11, 2020**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE